

Sentence Review Division  
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Helena, MT 59620-3005  
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(406) 841-2976

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-16-244
	)	
Plaintiff,	)	Lake County District Court
	)	Montana Twentieth Judicial District
	)	
-vs-	)	<b>DECISION</b>
	)	
JEFFREY DOUGLAS FREEMAN, JR,	)	
Defendant.	)	

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On June 20, 2019, the Defendant's deferred sentence for Criminal Possession of Dangerous Drugs was revoked and he was sentenced to the Department of Corrections for four (4) years. The Defendant received credit for time served of 339 days. He did not receive credit for any other elapsed probationary time due to his violations of probation. The Court recommended the Defendant be screened for the Nexus program.

On November 7, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present and was represented by Stephanie DeBoer, Defense Counsel. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

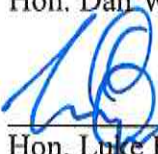
Done in open Court this 7<sup>th</sup> day of November, 2019.

DATED this 11<sup>th</sup> day of December, 2019.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Brenda Gilbert, Chairperson

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member

Copies mailed this 13<sup>th</sup> day  
of December, 2019, to:

Clerk of District Court (Original)  
Jeffrey Douglas Freeman, Jr. #3020531, Defendant (2)  
Hon. Deborah Kim Christopher  
Stephanie DeBoer, Defense Counsel  
James A. Lapotka, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.

  
\_\_\_\_\_  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division